

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-CV-60800-AHS

GBB DRINK LAB, INC.,

Plaintiff,

v.

FSD BIOSCIENCES, INC. and  
FSD PHARMA, INC.,

Defendants.

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**ORDER REGARDING MOTION TO COMPEL**<sup>1</sup>

THIS CAUSE comes before the Court upon Defendants' Motion to Compel Discovery (ECF No. 54) (the "Motion"). United States District Judge Raag Singhal has referred all discovery matters to the undersigned. (ECF No. 41 at 6).

As background, in the Motion, Defendants seek to compel Plaintiff to supplement its responses to Defendants' First Set of Interrogatories and Defendants' First Set of Requests for Production of Documents and requested a hearing on the Motion. *See generally* (ECF No. 54). The Court scheduled a hearing and required Plaintiff to respond to the Motion by February 20, 2024, followed by a Joint Status Report, and a March 12, 2024 hearing. (ECF No. 55). Subsequently, the parties filed a joint Stipulation, agreeing to extend the deadline for Plaintiff's response to the Motion.<sup>2</sup> (ECF No. 56).

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<sup>1</sup> This Order modifies the parties' proposed Stipulation regarding the Motion.

<sup>2</sup> Although the Stipulation should have been filed as a motion seeking to extend a Court-ordered deadline, in the interest of efficient case management, the Court will construe the Stipulation as a *nun pro tunc* request to approve the parties' tentative resolution of the Motion.

The parties have since submitted for the Court's consideration a further stipulation and have in good faith stipulated as set forth below, with the Court's modifications. Accordingly, it is hereby **ORDERED** that:

1. Within seven (7) days of this Stipulation, Plaintiff will amend its discovery responses to:
  - a. Provide amended responses to Interrogatories, 3, 7, and 8 in Defendants' First Set of Interrogatories.
  - b. Complete all subparts of Interrogatory 3.
  - c. Provide an amended response to Interrogatory 16.
2. Plaintiff will diligently and in good faith attempt to cure the remaining deficiencies referenced in the Motion and Defendants' January 23, 2024 deficiency letter.
3. By **March 8, 2024**, the parties must: (i) exchange substantially complete document productions; and (ii) file the Joint Status Report required by the Order Setting Telephonic Hearing on Discovery Motion (ECF No. 55).
4. Unless the Motion is otherwise resolved, the hearing currently scheduled for March 12, 2024 will proceed as scheduled.

Dated: February 28, 2024

/s/Nicole R. Topper

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***Attorneys for Defendants***

**SO ORDERED.**

Dated: February 28, 2024



ALICIA O. VALLE  
UNITED STATES MAGISTRATE JUDGE